

MARK GAYLORD
Ballard Spahr
201 South Main Street, Suite 800
Salt Lake City, Utah 84111
Telephone: (801) 531-3000
gaylord@ballardspahr.com
Attorney for Plaintiffs

JOHN W. HUBER, United States Attorney (#7226)
AMANDA A. BERNDT, Assistant United States
Attorney (#15370)
111 South Main Street, #1800
Salt Lake City, Utah 84111
Telephone: (801) 524-5682
amanda.berndt@usdoj.gov
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

NATIONAL PUBLIC RADIO, INC. and
HOWARD BERKES,

Plaintiffs,

vs.

UNITED STATES DEPARTMENT OF
LABOR and MINE SAFETY AND HEALTH
ADMINISTRATION,

Defendants

Case No. 2:18-cv-00723-RJS

STIPULATION OF DISMISSAL

Judge Robert J. Shelby

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and pursuant to the parties' settlement agreement, Plaintiffs and Defendants hereby stipulate and agree to dismissal of this action with prejudice.

DATED this 21 day of December 2018.

JOHN W. HUBER
United States Attorney

/s/ Mark Gaylord

MARK GAYLORD
Attorney for Plaintiffs

/s/ Amanda A. Berndt

AMANDA A. BERNDT
Assistant United States Attorney
Attorney for Defendants